THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.19162 OF 2007

Dated 20th September, 2007

Between:

M/s Harsha Junior College …Petitioner

And

The Government of Andhra Pradesh
Transport Department rep. By its
Addl.Secretary/RTO and another …Respondents

THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO.19162 OF 2007

O R D E R (Per the Hon'ble Sri Justice Bilal Nazki):

The petitioner is aggrieved of seizure of vehicle on 25-08-2007 by the respondents. It is further submitted by the petitioner that he made a representation to the respondents, which has not been decided.

On instructions, learned counsel for the respondents submits that the petitioner has not been paying tax for a long period of time and a notice was issued to him in May, 2007, but he did not respond to the notice and thereafter an order was passed against him levying tax of Rs.32,480/- from 31-03-2005 to 30-09-2007 and penalty of Rs.62,600/- was also imposed. Thus, the petitioner has to pay to the Department a total sum of Rs.95,080/-. Notices were issued for payment of the amount, but the petitioner did not pay either the tax or the penalty and on 25-08-2007 the vehicle was seized.

Learned counsel for the petitioner submits that the petitioner was not aware of the order and he has the remedy of filing an appeal against levying of penalty. Therefore, the vehicle may be released to him and he may be allowed to file an appeal.

After hearing learned counsel for the parties, we are of the view that the vehicle be released immediately on payment of the amount of tax and the amount of penalty totalling to Rs.95,080/-. However, this amount shall be paid by the petitioner subject to his rights in the

remedies available to him in law.

The writ petition is accordingly disposed of. No order as to costs.

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Bilal Nazki,J

Dated 20th September, 2007

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Ramesh Ranganathan,J

Note: Issue wire at party's cost
(b/o)
vrn